

**STAFF MEETING MINUTES
LANCASTER COUNTY BOARD OF COMMISSIONERS
COUNTY-CITY BUILDING
ROOM 113
THURSDAY, MAY 20, 1999
8:30 A.M**

Commissioners Present: Kathy Campbell, Chair
Bob Workman
Linda Steinman
Bernie Heier

Commissioners Absent: Larry Hudkins

Others Present: Kerry Eagan, Chief Administrative Officer
Diane Staab, Deputy County Attorney
Bruce Medcalf, County Clerk
Gwen Thorpe, Deputy County Clerk
Ann Taylor, County Clerk's Office

AGENDA ITEM

1 APPROVAL OF STAFF MEETING MINUTES OF THURSDAY, MAY 13, 1999

MOTION: Steinman moved and Heier seconded approval of the minutes. On call Steinman, Heier, Workman and Campbell voted aye. Motion carried.

Workman noted that he was absent from the Thursday, May 13th County Board Staff Meeting as he was touring a Lincoln Electric System (LES) owned power plant facility in Wyoming.

2 ADDITIONS TO THE AGENDA

- a. Use of the County Commissioners' Offices by the Justice and Law Enforcement Center Art Committee (Emergency Item)
- b. Gas Purchasing Consortium

MOTION: Steinman moved and Heier seconded approval of the additions to the agenda. On call Steinman, Heier, Workman and Campbell voted aye. Motion carried.

ADDITIONS TO THE AGENDA

- b. Gas Purchasing Consortium

Don Killeen, County Property Manager, appeared and stated that he is not convinced the County would benefit from continued participation in the Gas Purchasing Consortium. He agreed to discuss the matter further with Joel Pedersen, Assistant City Attorney, and make a recommendation to the Board.

The Board requested that this item be scheduled for further discussion on the agenda for the Thursday, June 3rd County Board Staff Meeting.

3 LEGISLATIVE UPDATE - Gordon Kissel, Legislative Consultant

Gordon Kissel, Legislative Consultant, presented a legislative update (Exhibit A), noting the following:

- * The Legislature advanced LB 661, which limits damages in actions relating to computer date failures, to Select File. Liability is limited for political subdivisions if a reasonable effort has been made to protect computer systems, programs or software from date failure.
- * Senator Thompson will work with the Department of Health & Human Services, the Governor and Senators interested in juvenile issues over the interim to secure support for the concepts in LB652, which provides for a juvenile correctional facilities master plan.
- * An amendment to LB 637, which changes child support payment and disbursement provisions, was adopted creating a disbursement system to be administered by a public or private entity. The Nebraska Association of County Officials (NACO) is interested in serving in this capacity.
- * Distribution remains at 22% for counties in LB 142, which changes the allocation of the motor vehicle tax.

Kissel also reviewed a list of *1999 Interim Study Resolutions and Veto Amounts by Legislative Bill, Agency and Program* (Exhibit B).

Campbell suggested that thank you letters be sent to those State Senators that have provided considerable assistance to the County in introduction and support of legislation this legislative session. These letters will be signed by members of the County Board and the heads of departments directly affected by the legislation. The following names were suggested:

- * Senator Crosby for LB 112
- * Senator Wickersham for LB 142
- * Senator Thompson for LB 652

The Board requested Kissel to schedule a meeting with the Lancaster County Senate delegation in either August or September to discuss several key pieces of legislation, including LB 652. The Board will also meet with members of the Douglas County Board over the summer.

Mike Thurber, Corrections Director, voiced concern regarding the issue of sitting out court fines in the jail facility.

Eagan suggested that Thurber contact the American Jail Association for draft legislation.

The Board requested Kissel to brief Senator Raikes on the issue and offer a tour of the Lancaster Corrections Facility.

The Board also requested Thurber to draft a letter to Supreme Court Chief Justice John Hendry, with copies to the Governor and members of the Lancaster County Senate delegation, outlining the County's concerns.

The Board also requested Diane Staab, Deputy County Clerk, to research whether the County can contract with a private collection firm for the collection of court fines.

4 LETTER FROM DARCIÉ KRUEGER - Mike DeKalb, Planning Department

Mike DeKalb, Planning Department, reported briefly on a letter received from Darcie Krueger, owner of the SitStay GoOut Store, a home-based mail order dog supply company (Exhibits E & F). He noted that plans and requirements for the business include:

Phase I (Within 12 Months)

- * Locate building to house merchandise and offices
- * Hire employees
- * Kennel and exercise area for more than four dogs
- * Walk-in retail sales
- * Residence on property
- * Location with paved road access to highway
- * Accessibility to the airport
- * High access Internet connections

Phase II (1-3 Years)

- * Seminars for up to 100 people and their dogs. Requires outdoor exercise area of 5-10 acres
- * Meeting hall and parking available for rent to the public

Phase III (3-7 Years)

- * A dog/owner retreat, 50-100 acres in size, with training classes and seminars
- * Lodging and restaurant
- * Co-location of dog-related businesses

DeKalb stated that I-1, B-1, B-3, B-4, H-2 and H-3 zoning, or a package of mixed zoning on the site, will accommodate the proposed business package within the City's zoning jurisdiction. Mixed zoning sites could also be located within the County, although high access Internet connections and highway and airport access needs might not be met. He noted that Steve Henrichsen, Planning Department, will be meeting with Krueger and her realtor to discuss available sites.

5 SEWER LINE THROUGH WILDERNESS PARK - Terry Genrich, Parks & Recreation Natural Resources Manager; Steve Masters, Public Utilities and Maintenance Administrator

Terry Genrich, Parks & Recreation Natural Resources Manager, reported that the proposed preliminary plat for Wilderness Ridge, South 27th & Yankee Hill Road, includes a sanitary sewer easement for a future 48 inch sanitary sewer trunk line beneath a proposed golf course on the western boundary of the plat (Exhibits C & D). He stated that difficulties with this route were recently discovered and Public Works & Utilities is exploring alternative sewer trunk line routes.

Steve Masters, Public Utilities and Maintenance Administrator, stated that the following problems with the proposed route have been identified:

- * Ease of construction
- * Future maintenance and access
- * Cost of construction

Masters indicated alternative routes, including through Wilderness Park, on a map of the S-1, S-2, S-3 and S-5 Subareas.

Genrich noted that location of the sewer trunk line in Wilderness Park, in conjunction with an access routes, could serve as an enhancement if combined with plantings and other park improvements. Bore testing is necessary, however, to determine whether this would be a feasible sewer trunk line route.

Mike DeKalb, Planning Department, appeared and stated that sewer trunk line options outside the park, including railroad right-of-ways, will also be explored. He also noted that, should a route within Wilderness Park be selected, the savings realized by the City could be used to make improvements to the park.

Master noted that stabilization of the flow of water in the creek channel is crucial for the future.

Heier questioned whether this would be an opportune time to sell Wilderness Park to an entity such as the Lower Platte South Natural Resources District (NRD) that would preserve the park as a floodplain.

Board consensus to explore Heier's suggestion with the Lower Platte South Natural Resources District (NRD).

DeKalb also reported:

- * A letter of intent has been received from the Union Pacific Railroad indicating plans to abandon its railroad line from Saltillo Road, which abuts Wilderness Park, across the Kansas border. He noted this may provide an opportunity to expand the trails network.
- * The Lower Platte South Natural Resources District (NRD), Corps of Engineers, Parks & Recreation and Planning Department are pursuing voluntary conservation easements on parcels abutting Wilderness Park that are in the floodplain area. A pass-through of federal funds will fund these easements.

MOTION: Steinman moved and Workman seconded to authorize Public Works & Utilities, Parks & Recreation and the Planning Department to perform bore testing in Wilderness Park to determine the feasibility of a sanitary sewer trunk line route through the park.

Eagan noted a written request defining the areas of bore testing within Wilderness Park is required before testing may be initiated.

ON CALL: Steinman, Workman, Heier and Campbell voted aye. Motion carried.

6 INTERNET & E-MAIL POLICY - Diane Staab, Deputy County Attorney; Ron Todd, Personnel Director; Pat Kant, Administrative Assistant to the Mayor

Diane Staab, Deputy County Attorney, briefly reviewed a draft of *Internet and E-Mail Usage Policy* (Commissioners' Information Packet).

The Board requested the following changes:

- * Strike the word "only" in the second sentence of the second paragraph
- * Use bold type on the last sentence in the second paragraph
- * Add the following language to the second paragraph: "Taxpayers have paid for this equipment and your time and you need to be judicious in its use."
- * Strike Item 4 in *Internet Use*
- * Strike Item 2 in *E-mail Use and Privacy Issues*
- * Add the phrase "or a member of the public" behind "jury" in Item 4 in *E-mail Etiquette*

Ron Todd, Personnel Director, urged flexibility with regards to Item 6 in *Internet Use*, noting that employees may unwittingly access material of an obscene, pornographic or discriminatory nature transmitted to them, without their prior knowledge or assent.

NOTE: The Board will take action on this item at a Tuesday, County Board of Commissioners meeting.

7 ADDITIONAL APPROPRIATIONS FOR FISCAL YEAR 1998-99 - Dave Kroeker, Budget & Fiscal Officer

Juvenile Court

Dave Kroeker, Budget & Fiscal Officer, reviewed a handout (Exhibit G) which includes the following documents:

- * *Juvenile Court FY99 Additional Appropriations*
- * *Juvenile Court FY99 Boarding Contracts*
- * An explanation of an amendment to LB 1073
- * *Juvenile Court FY99 Legal Services*
- * *Lancaster County Public Defender's Office, Juvenile Contract Appointment, Calendar Year 1999, As of April 30, 1999*

* *Lancaster County FY99 Projected Additional Appropriations*

Kroeker recommended that the County Board appropriate an additional \$257,931 for the Juvenile Court for salaries, legal services and boarding contracts.

In response to a question from Heier, Dennis Keefe, Public Defender, stated certain situations require appointment of legal counsel for juveniles, regardless of indigency, such as the appointment of a guardian ad litem in abuse and neglect cases. The law allows the Court to order parents to reimburse the County for legal costs, but a systematic method of determining indigency is not currently in place.

Campbell remarked that a screener could determine indigency for all of the Courts. She also reported that the County's application for a two year National Court Appointed Special Advocates (CASA) grant in the amount of \$80,000 was rejected.

Workman questioned the number of filings in comparison with other counties.

Keefe reported that juvenile law violations openings have increased 39% over last year, but filings have decreased 8%. The Public Defenders Office is appointed as legal counsel in 78% of these cases. If a conflict of interest is noted, the case is assigned to Legal Services of Southeast Nebraska, through their contract with the County, or private legal counsel. Keefe noted that 40% of these cases result in dismissals. He agreed to analyze legal costs to determine whether additional contracts are needed to contain legal costs.

NOTE: The Board will take action on this item at the Tuesday, May 25th County Board of Commissioners Meeting.

Register of Deeds

Dan Nolte, Register of Deeds, requested an additional appropriation in the amount of \$25,868.60 from the Fiscal Year 1999-00 Microcomputer Fund Budget for computer equipment related to the project to convert the Register of Deeds records to the computer mainframe (Exhibit H). He also sought authorization to order the requested equipment.

Steinman noted concern regarding the number of computers designated for public use, which she indicated currently numbers twelve. She suggested that the availability of information and images on the Internet may decrease usage of these computers in the near future. Steinman noted, however, that she concurs with the request for four computers for staff, one computer for imaging and two laser printers.

Maura Tolzen, Deputy Register of Deeds, stated that eight, rather than twelve, computers are currently designated for public use, noting that this usage varies. Three of these are compatible with the new software. She also stated that six computers are 486's and are recommended for replacement.

Kroeker noted that Information Services has agreed to provide ten color monitors, at no cost, to service searches of index information.

In response to a question from Campbell, Terry Lowe, Information Services Project Manager, reported that the database portion of the conversion project is nearly completed, but images will need to be reconfigured for placement on the Internet.

Tolzen estimated that the conversion to the mainframe will be complete in July or August, 1999.

MOTION: Steinman moved and Heier seconded to authorize the Register of Deeds Office to order seven (7) Compaq Deskpro Pentium computers, seven (7) ViewSonic 21" Monitors, two (2) HP 4000T Laser Printers and related equipment, with funding from the Fiscal Year 1999-00 Microcomputer Fund Budget. On call Steinman, Heier, Workman and Campbell voted aye. Motion carried.

The Board indicated that the three remaining Compaq Deskpro computers, ViewSonic Monitors and related equipment will be considered with other Microcomputer Fund requests.

The Board also requested that the Register of Deeds Office keep a 30 day log of public usage of their office's computers.

ADDITIONS TO THE AGENDA

- a. Use of the County Commissioners' Offices by the Justice and Law Enforcement Center Art Committee (Emergency Item)

Campbell reported the request is to allow members of the Justice and Law Enforcement Center Art Committee use telephones in the County Commissioners' offices from 3-5 p.m. on Friday, May 21st to solicit donations.

Eagan reported that the Nebraska Accountability and Disclosure Commission has reviewed the request and voiced no objection.

MOTION: Steinman moved and Heier seconded approval of the request. On call Steinman, Heier, Workman and Campbell voted aye. Motion carried.

8 ADMINISTRATIVE OFFICER REPORT

- a. Recommendations from Lincoln/Lancaster County Ecological Advisory Committee with Regards to Preservation of Wilderness Park

MOTION: Heier moved and Steinman seconded to accept the recommendations for preservation of Wilderness Park from the Lincoln/Lancaster County Advisory Ecological Committee, with the stipulation that members of the committee have voted on and given approval to the submitted recommendation. On call Heier, Steinman, Workman and Campbell voted aye. Motion carried.

Campbell noted that Mort Stelling, Ecological Advisory Committee Chair, plans to share these recommendations with members of the Wilderness Park Subarea Study Working Group.

MOTION: Heier moved and Steinman seconded to reconsider the original motion. On call Heier, Steinman, Workman and Campbell voted aye. Motion carried.

MOTION: Heier moved and Steinman seconded to rescind the original motion. On call Heier, Steinman, Workman and Campbell voted aye. Motion carried.

MOTION: Heier moved and Steinman seconded to take the recommendations for preservation of Wilderness Park from the Lincoln/Lancaster County Ecological Advisory Committee under advisement and seek clarification from Dan Ludwig, Ecological Advisory Committee Vice-Chair. On call Heier, Steinman, Workman and Campbell voted aye. Motion carried.

b. Local Government Network Workshop

Eagan reported on his recent attendance at the Local Government Network Workshop, held in Salt Lake City, Utah. He noted that transportation of highly radioactive material along Interstate 80 is a concern because the first responders to an accidents are frequently rural volunteers. Educational opportunities for local responders will be pursued.

c. Interim Director for the Community Mental Health Center

Eagan reported that Bill Bonacker, Outpatient and Emergency Services Program Manager, has been suggested for the position of Community Mental Health Center Interim Director.

The Board requested that appointment of Bonacker and the setting of his salary be scheduled on the agenda for the Tuesday, May 25th County Board of Commissioners Meeting.

9 DISCUSSION OF BOARD MEMBER MEETINGS

a. Master Plan Steering Committee - Hudkins

No report was given.

b. Parks & Recreation Advisory Board - Workman

No report was given.

c. Visitors Promotion Committee - Steinman

Steinman reported that the proposed Fiscal Year 1999-00 Budget was reviewed. She stated an increase of 4% is anticipated, attributed primarily to an increase in rent for office space in the Chamber of Commerce.

Steinman also reported that a search will be conducted to fill the position of Lincoln Convention and Visitors Bureau Director.

d. Information Services Policy Committee - Steinman, Workman

Steinman reported that discussion focused on the following:

- * Register of Deeds' conversion project
- * Video Streaming
- * Addition of the Attention Center for Youth's records to the Criminal Justice Information Services (CJIS) system
- * Geographic Information System (GIS) images on the Internet
- * \$50,000 cost to overhaul the Docuphase records management system for the County Clerk's Office
- * \$23,000 cost to update the Clerk of the District Court's system for Y2K compliance

e. Government Access & Information Committee - Steinman

Steinman reported that discussion focused on many of the same topics as those covered at the Information Services Policy Committee's meeting.

f. Emergency Management Advisory Committee - Workman

Workman reported that this meeting was canceled.

16 ADJOURNMENT

By direction of the Chair, the meeting was adjourned.

Bruce Medcalf
Lancaster County Clerk